

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION**

**PREMERA BLUE CROSS and  
STARBUCKS CORPORATION AND  
GROUP HEALTH AND WELFARE PLAN,**

Plaintiffs,

v.

**FEDERAL EXPRESS CORPORATION, a  
Delaware Corporation; DAVID HORHAN,  
and JANE DOE HORHAN, husband and  
wife,**

Defendants.

Civil Action 7:12-CV-74 (HL)

**ORDER**

On May 25, 2012, Plaintiffs filed this matter in the Valdosta Division of the United States District Court for the Middle District of Georgia, alleging diversity as the basis for federal jurisdiction.<sup>1</sup> Because federal courts have only limited jurisdiction, part of the Court's initial review process requires it to determine whether a proper jurisdictional basis exists in each case. When a plaintiff files a claim in federal court it is generally the plaintiff's burden to allege the specific facts necessary to establish jurisdiction. Morrison v. Allstate Indem. Co., 228 F.3d 1255, 1273 (11th Cir. 2000).

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<sup>1</sup> While Plaintiffs state in their complaint that the Court has jurisdiction over this matter under 42 U.S.C. § 1332, the Court assumes Plaintiffs mean 28 U.S.C. § 1332, which is the diversity statute.

A review of the complaint shows that Plaintiffs have provided no information about the citizenship of any of the parties. Because federal courts are courts of limited jurisdiction, they always have an obligation to examine *sua sponte* their jurisdiction before reaching the merits of any claim.@ Kelly v. Harris, 331 F.3d 817, 819 (11th Cir. 2003). The Court is unable to ascertain whether complete diversity of citizenship exists and, therefore, the complaint fails to satisfy the prerequisites of subject matter jurisdiction. However, the Court is of the opinion that Plaintiffs should be allowed to amend to correct the deficiencies noted. Accordingly, Plaintiffs shall have up to and through June 15, 2012 to file an amended complaint that properly alleges the citizenship of all the parties. Failure to plead the necessary jurisdictional prerequisites in a timely manner will result in dismissal for lack of jurisdiction.

**SO ORDERED**, this the 4<sup>th</sup> day of June, 2012.

**s/ Hugh Lawson**  
**HUGH LAWSON, SENIOR JUDGE**

mbh